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CHAPTER VI

THE SEPARATION OF BROTHERS

In spite of the modernization which Albanian laws had undergone since 1912, brothers still separated according to the laws they had learned from their fathers. The only change introduced by the civil code adapted from the Swiss models was that economic provision must now be made for the daughters of the family, who had formerly been given only a nominal sum when their father's home was broken up.

There were several reasons for breaking up an old home. When a communal household was already full of men, each with his wife and children, it could no longer spare a room for each boy as he grew up and married. Some of the men must hive off, although many disliked the idea of separating from their brothers. As the Albanian proverb says, 'When the hive is full the bees must swarm'.

Quarrelling was another cause of separation. Often the brothers themselves quarrelled, the younger resenting the elder's control of his person and of the family purse, or 'the devil entering both their hearts' they quarrelled about nothing. In the latter case climate might play a role. Theth, for example, lay so high that the peasants were confined to their houses for several months each winter. Then brother got on brother's nerves, high words were spoken and the younger demanded a separation or the elder threatened to expel him. When the milder weather came to release them from confinement, their tempers cooled, but each was too proud to retract the word he had spoken in haste. A financial cause operated in villages near towns, such as Godolesh and Shijan near Elbasan. With the bazaar at hand each brother wanted to control the purse, which he could not do unless he had a separate establishment. Often too brothers must separate because their wives quarrelled. The companionship enforced by communal life naturally bore harder on the women who lacked the blood tie and similarity of upbringing that might neutralize clashes of temperament among the men. Occasionally brothers separated while their father was still alive. If this was their own wish they lost face and

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building itself was allotted to one of the brothers, almost everywhere the youngest, who became its sole owner and master. But he must pay each of his brothers a proportionate share of its value, half if he had only one brother, a third if he had two and so on. Sometimes two brothers who had decided to divide the old house with a partition wall, according to the first method of division, quarrelled irreconcilably about the position of this wall. Then they might switch over to the second method, one buying out the other. If they could not afford to do this, one might legally pull down his own section of the house, take away the timber and stones, and build himself a new house on his own land.

Sometimes four brothers separated two by two, one pair remaining in the old home and the other going out. In that case the former paid between them half the assessed value of the house to the outgoing pair. Sometimes the four separated one by one, two remaining in the old home as before and two going out. In this case the old home was divided by a partition into two portions, one for each of the two brothers remaining in it and one-quarter of its value was taken from each of them and given to each outgoing brother.

In Dibër and Perlat, possibly elsewhere, the outgoing brothers received an extra portion of land as a site for the house they must build. In Perlat a distinction was made between irrigable and non-irrigable land. The extra portion given in the case of the latter, which was nearly worthless, might amount to as much as 120 *pashë*.

Almost everywhere the old home was valued as it stood, but a system not recorded elsewhere prevailed in Perlat. This took no account of the timber, stones and mud (for mortar) which went to the building of the house because these cost nothing but labour, and the labour had been provided as a joint enterprise by the family when still united. (But the brothers, remembering what the mason who built the house had been paid, divided that sum equally between themselves; it was generally no more than 6 or 7 napoleons.) As usual, the brother allotted the house paid cash to his outgoing brothers. The drawback to this system was that it did not provide for fluctuations in the value of money.

The old house was generally given to the youngest because he was thought too young to be able to build one for himself. 'The man who has not built himself a house or celebrated his daughter's wedding does not know what trouble is', runs the proverb. The

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older brothers had had time to acquire friends and could make their own way in the world, but the baby of the family knew nothing about anything except his father's house.

After the land and the house had been divided, the boundaries between the holdings were demarcated. The house, it should be said, included land round it and also any cattle or sheepfolds. When the land was under water, irrigation channels were marked out at the same time as the boundaries. Where the father had possessed one field with an irrigation channel running down its whole length, his sons tapped this channel without difficulty, each digging a small transverse channel from it on his own portion of the field. Where the stream was farther off the brothers jointly dug a channel to the point where their land met, after which each made a separate channel through his own ground; by preference each took this down his own side of the little path between his field and his brother's. When the water came from above a field so narrow that it must be divided short-ways, the brother getting the lower half was entitled to dig an irrigation channel down the side of his brother's land. But the area it occupied must be measured and an equivalent amount of land subtracted from his holding and added to his brother's. It was, of course, always stream irrigation that was in question.

The period for which each brother might irrigate was also settled when they separated. This was usually a matter of simple arithmetic. If, for example, the father had had the right to irrigate for two days, each of the two brothers was given the right for one day and each of three brothers for sixteen hours. In Mirditë, where few streams could be utilized, irrigation water was divided by the oke; unfortunately there is no information available as to how this was done.

Drinking water was seldom regulated; 'God has given it' and almost everywhere in excess. There was so little in some villages near Shkodër, however, that it was divided by the jugful, at least during the dry season. When brothers separated in these villages their portion of drinking water was decided. Division was as with food, by heads, so many jugfuls per person.

Milling rights varied from district to district. Where they were by hours or days each brother's quota was settled on the day of separation. It was again arithmetical, each of two brothers getting half the father's period and each of three getting one-third.

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man killed in the murderer's stead must not be too old, feeble-minded, or physically frail to carry arms, for such men were counted women, and women could not be killed in blood feuds. If the avenger killed such a man, he lost caste, was publicly branded as 'low-class' and made it certain that the feud would not be closed. It was also illegal to kill boys who were still too young to carry arms, that is to say, under fifteen or in some cases twenty. In the Malësi e Madhe, however, it was held that one must take vengeance where one could, and that in default of an adult enemy one might kill a boy. Even in that region such a crime was not committed except by a very bad man or one who was frenzied with rage at the recent murder of a relative or otherwise. For instance, in 1933 a subaltern of the Alije family, whose wife had been carried off by another Dibran, refrained for some years from avenging the insult in the way demanded by mountain law. Taunted with this restraint at a chance meeting in a café, he put aside the civilization acquired during his military education in Albania and in Italy and rushed for his revolver. As he was unable to find the man who had taunted him, he lay in wait for the latter's schoolboy son, aged fourteen, and shot him dead.

The men of Shalë said that vengeance on a boy was commoner in Pult than in their own tribe; the men of Pult, they added contemptuously, were in every way their inferiors. Much the same was said by the tribesmen of Lurë of their neighbours in Mirditë and Kthellë, who returned the compliment in kind. In Lumë a man who took such vengeance was never again given the greeting 'Peace be with thee', which is every good Mohammedan's due from his fellows. The manner of such vengeance was inevitably very brutal. Thus two men from Shlak, when working in Bardhanjol, found the small son of their enemy and tore him in two; they are said not to have troubled to kill him first. More often the enemy wrenched the cradle off a woman's back and in her presence cut the infant's throat. A particularly nasty case was reported about 1932 from Shalë, one of the most backward regions of Albania. While two families were quarrelling about a piece of land, the wife of Grimës one day voiced her opinions so volubly in Gjelosh's house that he lost his temper and pushed her out. She fell down some steps by the door and bruised her hip. She showed the bruise to the gendarmerie, who were sympathetic enough to arrest Gjelosh and to imprison him for three months. The woman, who cared more